

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
JACKSON DIVISION

FILED BY _____ D.C.
05 SEP -6 AM 8:09
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

RODNEY CLARK,

Plaintiff,

v.

THE PROCTER & GAMBLE
MANUFACTURING COMPANY, a
corporation,

Defendant.

CIVIL ACTION NO. 04-1254-T-An

THIRD AMENDED RULE 16(b) SCHEDULING ORDER

Pursuant to a scheduling conference held on August 25, 2005, the
following dates were established as the final dates for:

COMPLETING ALL DISCOVERY: Discovery is complete except
that Plaintiff will complete all 30(b)(6) depositions by September 30, 2005.

FILING DISPOSITIVE MOTIONS: November 11, 2005.

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

See September 2, 2005 Omnibus Rule 16 Scheduling Order In Related
Cases.

JOINT PRETRIAL ORDER: June 2, 2006.

TRIAL: June 12, 2006

This document entered on the docket sheet in compliance
with Rule 58 and/or 79 (a) FRCP on 09-06-05

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FED. R. CIV. P. allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FED. R. CIV. P. 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

At this time, the parties have not given consideration to whether they wish to consent to trial before the magistrate judge. The parties will file a written consent form with the court should they decide to proceed before the magistrate judge.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "S. Thomas Anderson", written over a horizontal line.

S. THOMAS ANDERSON
MAGISTRATE JUDGE

Date: September 02, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 43 in case 1:04-CV-01254 was distributed by fax, mail, or direct printing on September 6, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT